

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

DARLENE JACKSON,	)	CIVIL DIVISION
	)	
Plaintiff,	)	NO.: CA05-33 Erie
	)	
v.	)	
	)	
WAL-MART STORES, INC.,	)	
	)	
Defendant.	)	<b><u>JURY TRIAL DEMANDED</u></b>

**MOTION FOR EXTENSION**

AND NOW, comes Plaintiff, Darlene Jackson, by and through her counsel, Patberg, Carmody, Ging & Filippi and Sean P. Duff, Esquire, and files the following Motion for Extension and in support thereof avers as follows:

1. The above referenced matter arises out of the discharge of Plaintiff Darlene Jackson from Defendant Wal-Mart Store in Erie, PA on June 7, 2003.
2. The Plaintiff has brought claims under the Americans With Disabilities Act alleging that the Defendant has dismissed the Plaintiff as a result of discriminatory intent with regard to her disability of being asthmatic.
3. The Case Management Order issued in this matter on October 20, 2005 provided that discovery closed on December 15, 2005, dispositive motions due by January 15, 2005 and response to any summary judgment motion due by February 15, 2005.
4. On or about January 15, 2005, the Defendant filed a Motion for Summary Judgment

and Statement of Material Facts.

5. As such, Plaintiff's response is due on or about February 15, 2005.

6. Recently, counsel for the Plaintiff underwent training for CM/ECF Electronic Filing at the United States District Court for the Western District of Pennsylvania Pittsburgh Office.

7. At that time, counsel was advised that he would be receiving a password to begin filing within a few days, however, Plaintiff's counsel has yet to receive their password.

8. As such, Plaintiff cannot properly file the appropriate documents with the Court.

9. As such, Plaintiff seeks an extension of time in which to file a response to Defendant's Motion for Summary Judgment.

10. Plaintiff would also request that the time for the Defendant to file any reply brief be extended by the same twelve (12) days. Counsel for Defendant has consented to this arrangement.

WHEREFORE, Plaintiff respectfully requests this Honorable Court enter an Order substantially in the form attached hereto.

RESPECTFULLY SUBMITTED,

PATBERG, CARMODY, GING & FILIPPI

DATE: \_\_\_\_\_

By: \_\_\_\_\_

Sean P. Duff, Esquire

PA. I.D. No.: 88853

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Attorney for Plaintiffs.